

V. JAMES DESIMONE (SBN: 119668)
CARMEN D. SABATER (SBN: 303546)
RYANN E. HALL (SBN: 306080)
JENICA P. LEONARD (SBN: 245366)
V. JAMES DESIMONE LAW
13160 Mindanao Way Ste. 280
Marina Del Rey, California 90292
Telephone (310) 693-5561
vjdesimone@gmail.com
cds820@gmail.com
rhall@bohmlaw.com
jleonard@bohmlaw.com
VJD000095@bohmlaw.com

Attorneys for All Plaintiffs

DANA A. SUNTAG (SBN: 125127)
JOSHUA J. STEVENS (SBN: 238105)
HERUM\CRABTREE\SUNTAG, LLP
3757 Pacific Avenue, Suite 222
Stockton, California 95207
Telephone: (209) 472-7700
dsuntag@herumcrabtree.com
jstevens@herumcrabtree.com

Attorneys for All Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAREN SUTHERLAND, et al.

Plaintiffs,
vs.

CITY OF STOCKTON, et al.

Defendants.

Case No.: 2:21-cv-01855-WBS-AC

**STIPULATION FOR EXCHANGE OF
INFORMATION;
[PROPOSED] ORDER**

1 All parties, through their counsel of record, enter into this Stipulation.

2 RECITALS

3 A. On October 8, 2020, Shayne Allen Sutherland (the “Decedent”) died in
4 San Joaquin County, and his death is the subject of this lawsuit.

5 B. On October 9, 2020, San Joaquin County’s Chief Medical Examiner,
6 Michael D. Hunter, M.D., performed an autopsy on the Decedent’s body, which included
7 taking photographs and/or videos of the Decedent’s body.

8 C. On October 13, 2020, on Plaintiffs’ request, Bennet Omalu, M.D.,
9 performed a second autopsy of the Decedent, which included taking photographs
10 and/or videos of the Decedent’s body and tissue samples (“Dr. Omalu’s Materials”).

11 D. On September 22, 2023, Plaintiffs issued an expert disclosure that
12 included Dr. Omalu as their retained forensic pathology expert, and Defendants issued
13 an expert disclosure that included Jason Tovar, M.D., as their retained forensic
14 pathology expert.

15 STIPULATION

16 The parties, through their undersigned counsel of record, agree as follows:
17 Plaintiffs and their counsel will permit Dr. Tovar to examine Dr. Omalu’s Materials taken
18 during his second autopsy, at Dr. Omalu’s office, 1621 Executive Court, Sacramento,
19 California 95864 on November 27, 2023, starting at 9:00 a.m.

20 Dated: November 14, 2023

HERUM CRABTREE SUNTAG, LLP

21 By: /s/ Joshua J. Stevens

22 DANA A. SUNTAG

23 JOSHUA J. STEVENS

Attorneys for all Defendants

24 Dated: November 14, 2023

V. JAMES DESIMONE LAW

25 By: /s/ V. James DeSimone

26 V. JAMES DESIMONE

27 RYANN E. HALL

JENICA P. LEONARD

28 Attorneys for all Plaintiffs

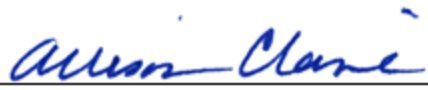
[PROPOSED] ORDER

The Court, having considered the parties' stipulation, and good cause appearing, rules as follows: the relief the parties request is GRANTED.

Dr. Tovar is permitted to examine Dr. Omalu's Materials taken during his second autopsy, at Dr. Omalu's office, 1621 Executive Court, Sacramento, California 95864 on November 27, 2023, starting at 9:00 a.m. Should any issues arise, counsel for the parties shall meet and confer in good faith to resolve them.

IT IS SO ORDERED.

Dated: November 15, 2023


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE